

WILLMAR CITY COUNCIL PROCEEDINGS
BOARD ROOM
HEALTH AND HUMAN SERVICES BUILDING
WILLMAR, MINNESOTA
& BY ELECTRONIC MEANS (GOTO MEETING)

August 16, 2021
6:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Mayor Marv Calvin. Members present on a roll call were Mayor Marv Calvin, Council Members Rick Fagerlie, Julie Asmus, Thomas Butterfield, Michael O'Brien, Justin Ask, Vicki Davis, Andrew Plowman, and Audrey Nelsen. Present 9, Absent 0.

Also present were City Administrator Leslie Valiant, Police Chief Jim Felt, Finance Director Steve Okins, Interim Public Works Director Gary Manzer, Parks and Recreation Director Rob Baumgarn, City Clerk Judy Thompson, and City Attorney Robert Scott.

Mayor Calvin read a statement regarding hybrid meeting.

There were no additions or deletions to the agenda.

Council Member Fagerlie moved to approve the agenda. Council Member Plowman seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

City Clerk Judy Thompson reviewed the consent agenda.

- A. City Council Minutes of August 2, 2021
- B. Willmar Municipal Utilities Commission Minutes of August 9, 2021
- C. Planning Commission Minutes of August 4, 2021
- D. Accounts Payable Report for July 23 – August 6, 2021
- E. Application for Exempt Permit – West Central Ducks Unlimited
- F. **Resolution No. 2021-172 Game Time Grant Application and Use of 2021 CIP Funds**
- G. Building Report for the Month of July, 2021

Council Member Fagerlie offered a motion to introduce **Resolution No. 2021-171 Approving Consent Agenda Items**. Council Member Asmus seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

There was no one present to speak during the Open Forum.

At 6:06 p.m. Mayor Calvin opened the public hearing for an ordinance authorizing the issuance of general obligation improvement and abatement bonds, Series 2021B. Finance Director Okins presented pertinent information regarding said ordinance.

There being no one present to speak for or against said ordinance, Mayor Calvin closed the public hearing at 6:08 p.m. and opened it up for discussion by the Council. Following discussion, Council Member Plowman offered a motion to adopt, assign a number, and publish **Ordinance No. 1468 An Ordinance Authorizing the Issuance of Up to \$4,000,000 General Obligation Improvement and Abatement Bonds, Series 2021B and the Levying of Taxes to Secure Payment Thereof**. Council Member Fagerlie seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

At 6:09 p.m. Mayor Calvin opened the public hearing for an ordinance authorizing the issuance of \$16 million general obligation sales tax revenue bonds, Series 2021C. Finance Director Okins presented pertinent information regarding said ordinance.

There being no one present to speak for or against said ordinance, Mayor Calvin closed the public hearing at 6:11 p.m. and opened it up for discussion by the Council. Following discussion, Council Member Fagerlie offered a motion to adopt, assign a number, and publish **Ordinance No. 1469 An Ordinance**

Authorizing the Issuance of Up to \$16,000,000 General Obligation Sales Tax Revenue Bonds, Series 2021C. Council Member Plowman seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Main Street Coordinator Willard Huyck presented a request to approve the installation of a city-commissioned sculpture on the south boulevard of Becker Avenue SW at the intersection of Third Street SW. He stated in Fall 2020, the City commissioned James Church to create a sculpture to display in downtown Willmar. The sculpture was sponsored by Blue Cross Blue Shield (BCBS) Healthy Together Willmar.

Following discussion, **Resolution No. 2021-173 Approval of Downtown Sculpture Installation** was introduced by Council Member Asmus. Council Member Ask seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Parks and Recreation Director Baumgarn presented an overview of the project and a request to approve the site location and accept the preliminary design of the Glacial Ridge Curling Center at the Willmar Civic Center location.

Following discussion, **Resolution No. 2021-174 Approving the Site Location and Accept the Preliminary Design of the Glacial Ridge Curling Center at the Willmar Civic Center from Negen & Associates, and Direct Staff to Meet with Glacial Ridge Curling to Seek Agreement on the Final Design in the Build-to-Suit Lease Agreement** was introduced by Council Member Asmus. Council Member Davis seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Kandiyohi County Economic Development Commission (EDC) Executive Director Aaron Backman presented an overview of a proposal from Ruedebusch Development & Construction (RDC) National, Inc. to purchase 11 city-owned parcels, 6.3 acres of unplatted land, and a vacated portion of 32nd Street SW in Industrial Park 4th Addition.

Following discussion, Council Member Fagerlie offered a motion to **introduce an Ordinance Authorizing the Sale of Real Property to RDC National, Inc.** and set public hearing for September 7, 2021 at 6:02 p.m. Council Member Asmus seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Due to the length and cost of publishing entire ordinance, Council Member Plowman offered a motion to publish the Ordinance Authorizing the Sale of Real Property to RDC National, Inc. by summary. Council Member Asmus seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Resolution No. 2021-175 Adopting the Temporary License Agreement for Site Preparations With Ruedebusch Development Construction, Inc. was introduced by Council Member Asmus. Council Member Davis seconded the motion which carried.

Resolution No. 2021-176 Adopting the Land Purchase Agreement with Ruedebusch Development & Construction, Inc. was introduced by Council Member Asmus. Council Member Plowman seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Kandiyohi County EDC Business Development Manager Sarah Swedburg presented a request from RDC National, Inc. for a major subdivision, rezoning, and the vacation of right-of-way and easements. RDC National, Inc. intends to build a logistics facility in Willmar.

Resolution No. 2021-177 Supporting Ruedebusch Development & Construction, Inc.'s Major Subdivision Application and Initiating City Review Procedures was introduced by Council Member Asmus. Council Member Ask seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Resolution No. 2021-178 Supporting Ruedebusch Development & Construction, Inc.'s Application to Rezone Unplatted Property From G/I to I-2 and Initiating City Review Procedures was introduced by Council Member Fagerlie. Council Member Asmus seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Resolution No. 2021-179 Vacating Right-of-Way, Drainage, Utility and Other Easements was introduced by Council Member Asmus. Council Member Ask seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Interim Public Works Director Manzer presented the 2021 Pavement Management Update. This item was for information only at this time.

City Administrator Valiant and Finance Director Okins presented a review of the 2022 Capital Improvement Plan for the City. This item was for information only at this time.

Mayor Calvin thanked the 2020 Census Complete Count Committee for all the work they did in making the Census a success. According to the numbers, Willmar's population came in at 21,015. The City's goal has been to reach over 20,000.

EDC Executive Director Aaron Backman gave a brief overview of area Census numbers, and stated the City of Willmar had the greatest increase in Kandiyohi County of 7.2 percent.

Council Member Asmus offered the following comments: The Stingers baseball season has come to an end, and Willmar is so fortunate to have them in our community.

Mayor Calvin offered the following comments: The Community Night of Worship will be held August 29th at Robbins Island; events for September 11th – Flags of Honor groundbreaking, and Lions Club pancake breakfast at the Community Center.

Council Member O'Brien offered the following comments: Thanked all the volunteers that helped with the child trafficking event held recently.

Council Member Nelsen offered the following comments: asked Interim Public Works Director Manzer to highlight a couple other events happening on September 11th. He stated the Presbyterian Church will be celebrating their 151st anniversary with a block party; Main Street will be hosting "Touch a Truck" event downtown.

Council Member Fagerlie offered a motion to adjourn the meeting with Council Member Asmus seconding the motion which carried. The meeting adjourned at 8:08 p.m.

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
SECRETARY TO THE COUNCIL

RESOLUTION NO. 2021-171
APPROVING CONSENT AGENDA ITEMS

Motion By: Fagerlie

Second By: Asmus

WHEREAS, the City Charter for the City of Willmar requires the City Council approve all Consent Agenda items by resolution.

BE IT RESOLVED by the City Council of the City of Willmar Minnesota, that all Consent Items of the August 16, 2021 City Council meeting be approved as presented.

Dated 16th day of August, 2021

/s/ Marv Calvin

MAYOR

Attest:

/s/ Judy Thompson

CITY CLERK

RESOLUTION NO. 2021-172

RESOLUTION APPROVING THE APPLICATION FOR THE GAME TIME GRANT AND IF AWARDED, USE THE 2021 CAPITAL IMPROVEMENT DOLLARS TO PURCHASE TWO SETS OF PLAYGROUND EQUIPMENT.

Motion By: Fagerlie

Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar to approve the application for the Game Time grant and if awarded, use the 2021 capital improvement dollars to purchase two sets of playground equipment.

Dated this 16th day of August, 2021

/s/ Marv Calvin

MAYOR

Attest:

/s/ Judy Thompson

CITY CLERK

RESOLUTION NO. 2021-173

APPROVAL OF DOWNTOWN SCULPTURE INSTALLATION

Motion By: Asmus

Second By: Ask

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the installation of a city-commissioned sculpture on the south boulevard of Becker Avenue SW at the intersection of Becker Avenue SW & Third Street SW be approved.

Dated this 16th day of August, 2021.

/s/ Marv Calvin

MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2021-174

RESOLUTION APPROVING THE SITE LOCATION AND TO ACCEPT THE PRELIMINARY DESIGN OF THE GLACIAL RIDGE CURLING CENTER AT THE WILLMAR CIVIC CENTER FROM NEGEN & ASSOCIATES, AND DIRECT STAFF TO MEET WITH GLACIAL RIDGE CURLING TO SEEK AGREEMENT ON THE FINAL DESIGN IN THE BUILD-TO-SUIT LEASE AGREEMENT

Motion By: Asmus Second By: Davis

BE IT RESOLVED by the City Council of the City of Willmar to approve the site location and accept the preliminary design of the Glacial Ridge Curling Center at the Willmar Civic Center from Negen & Associates, and direct staff to meet with Glacial Ridge Curling to seek agreement on the Final Design as defined in the Build-to-Suit lease agreement.

Dated this 16th day of August, 2021

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2021-175

A RESOLUTION ADOPTING THE TEMPORARY LICENSE AGREEMENT FOR SITE PREPARATIONS WITH RUEDEBUSCH DEVELOPMENT & CONSTRUCTION, INC.

Motion By: Asmus Second By: Davis

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota that the Temporary License Agreement for Site Preparations with Ruedebusch Development & Construction National, Inc. is accepted and approved, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to execute a version thereof.

Dated this 16th day of August, 2021

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2021-176

**A RESOLUTION ADOPTING THE LAND PURCHASE AGREEMENT WITH
RUEDEBUSCH DEVELOPMENT & CONSTRUCTION, INC.**

Motion By: Asmus

Second By: Plowman

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota that the Land Purchase Agreement with Ruedebusch Development & Construction National, Inc. is accepted and approved, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to execute a version thereof.

Dated this 16th day of August, 2021

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2021-177

**A RESOLUTION SUPPORTING RUEDEBUSCH DEVELOPMENT & CONSTRUCTION, INC.'S MAJOR
SUBDIVISION APPLICATION AND INIATING CITY REVIEW PROCEDURES**

Motion By: Asmus

Second By: Ask

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, is in support of the application submitted by Ruedebusch Development & Construction National, Inc. for a Major Subdivision to replat of real property legally defined as:

Lots 1, 2, and 3 of Block Two, and Lots 1, 2, 3, 4, 5, 6, 7, and 8 of Block 3, Willmar Industrial Park Fourth Addition to the City of Willmar, County of Kandiyohi, State of Minnesota, according to the plat on file and of record in the office of the County Recorder of Kandiyohi County, Minnesota.

AND

Vacated 32nd Street SW between Trott Avenue SW and Willmar Avenue SW (subject to prior vacation by City).

AND

That part of the Southeast Quarter of Section 17, Township 119 North, Range 35 West of the Fifth Principal Meridian, Kandiyohi County, Minnesota, described as follows:

Beginning at the northwest corner of Block 2, of record plat entitled WILLMAR INDUSTRIAL PARK FOURTH ADDITION, on file in the office of the Kandiyohi County Recorder; thence on an assumed bearing of South 00 degrees 03 minutes 57 seconds West, along the west line of said Block 2, a distance of 916.02 feet to the southwest corner of said Block 2; thence on a bearing of North 89 degrees 47 minutes 04 seconds West a distance of 300.50 feet; thence on a bearing of North 00 degrees 03 minutes 57 seconds East a distance of 916.02 feet; thence on a bearing of South 89 degrees 47 minutes 04 seconds East a distance of 300.50 feet to the point of beginning.

BE IT FURTHER RESOLVED that the City Council hereby initiates the City's review procedures with respect to the above-referenced major subdivision application and submits the same to the Planning Commission to conduct a public hearing and act thereon pursuant to City Code, Sec. 14-106.

Dated this 16th day of August, 2021

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2021-178

A RESOLUTION SUPPORTING RUEDEBUSCH DEVELOPMENT & CONSTRUCTION, INC.'S APPLICATION TO REZONE UNPLATTED PROPERTY FROM G/I TO I-2 AND INITIATING CITY REVIEW PROCEDURES

Motion By: Fagerlie

Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, is in support of the application submitted by Ruedebusch Development & Construction National, Inc. to rezone from G/I to I-2 6.3 acres of unplatted property legally defined as

That part of the Southeast Quarter of Section 17, Township 119 North, Range 35 West of the Fifth Principal Meridian, Kandiyohi County, Minnesota, described as follows:

Beginning at the northwest corner of Block 2, of record plat entitled WILLMAR INDUSTRIAL PARK FOURTH ADDITION, on file in the office of the Kandiyohi County Recorder; thence on an assumed bearing of South 00 degrees 03 minutes 57 seconds West, along the west line of said Block 2, a distance of 916.02 feet to the southwest corner of said Block 2; thence on a bearing of North 89 degrees 47 minutes 04 seconds West a distance of 300.50 feet; thence on a bearing of North 00 degrees 03 minutes

57 seconds East a distance of 916.02 feet; thence on a bearing of South 89 degrees 47 minutes 04 seconds East a distance of 300.50 feet to the point of beginning.

BE IT FURTHER RESOLVED that the City Council hereby initiates the City's review procedures with respect to the above-referenced rezoning application and submits the same to the Planning Commission to conduct a public hearing and act thereon pursuant to Section 9.G of the City's Zoning Ordinance (Ordinance No. 1060).

Dated this 16th day of August, 2021

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2021-179

VACATING RIGHT-OF-WAY, DRAINAGE, UTILITY AND OTHER EASEMENTS

Motion By: Asmus Second By: Ask

WHEREAS, on August 16, 2021, the City Council approved that certain purchase agreement with RDC National, Inc. ("RDC"), pursuant to which the City agreed to sell to RDC, and RDC agreed to purchase from the City, approximately 31.14 acres of real property currently owned by the City, including approximately 24.84 acres of platted real property located in the City of Willmar's Industrial Park Fourth Addition; and

WHEREAS, pursuant to the terms and conditions contained in the purchase agreement, the City agreed to initiate a proceeding to vacate 32nd Street SW between Trott Ave SW and Willmar Ave SW within the Willmar Industrial Park Fourth Addition, as well as all utility easements for any utilities (including those presently existing) within such 32nd Street SW right-of-way, and drainage, utility and other easements running through the interior of such Willmar Industrial Park Fourth Addition.

WHEREAS, RDC intends to replat the entirety of the 31.14 acres of real property it will be acquiring from the City pursuant to the City's procedures for major subdivisions, and in such process will dedicate new replacement drainage, utility and other easements satisfactory to the City Engineer and Willmar Municipal Utilities, in their sole discretion.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that:

1. Pursuant to Charter Section 9.01, subdivision 2, the Council hereby initiates the vacation of the following right-of-way, drainage, utility and other easements situated in the City of Willmar, Kandiyohi County, Minnesota more particularly described as:
 - a. 32nd Street SW right-of-way between Trott Avenue SW and Willmar Avenue SW within the Willmar Industrial Park Fourth Addition, Kandiyohi County, Minnesota, together with all utility easements for any utilities (including those presently existing) therein;

together with:

- b. All drainage, utility and other easements lying on, over, under and across Lots 1, 2, and 3 of Block Two, and Lots 1, 2, 3, 4, 5, 6, 7, and 8 of Block 3, Willmar Industrial Park Fourth Addition, Kandiyohi County, Minnesota, previously dedicated, conveyed or granted on the recorded plat of Willmar Industrial Park Fourth Addition (the "Easements").
2. A map of the area proposed to be vacated and of the area extending out therefrom in all directions a distance of six hundred (600) feet and a list of the property owners within the said total area is appended hereto.
3. The Council intends that the vacations proposed herein be subject to the conditions that RDC first (1) close on its purchase of the entirety of the 31.14 acres of real property identified in the purchase agreement; (2) record a City-approved replat of the 31.14 acres of real property identified in the purchase agreement with new drainage, utility and other easements satisfactory to the City Engineer and Willmar Municipal Utilities shown and dedicated to the City thereon; and (3) otherwise satisfy its obligations in the purchase agreement, specifically including but not limited to in section 12 therein.
4. Nothing herein shall be construed as the City Council initiating or supporting the vacation of any portion of the public rights-of-way identified as Willmar Avenue SW or Trott Avenue SW on the Willmar Industrial Park Fourth Addition plat.
5. The Council hereby refers this matter to the Planning Commission for its consideration and report to the Council pursuant to Charter Section 9.01, subdivision 3.

Dated this 16th day of August, 2021.

/s/ Marv Calvin
MAYOR

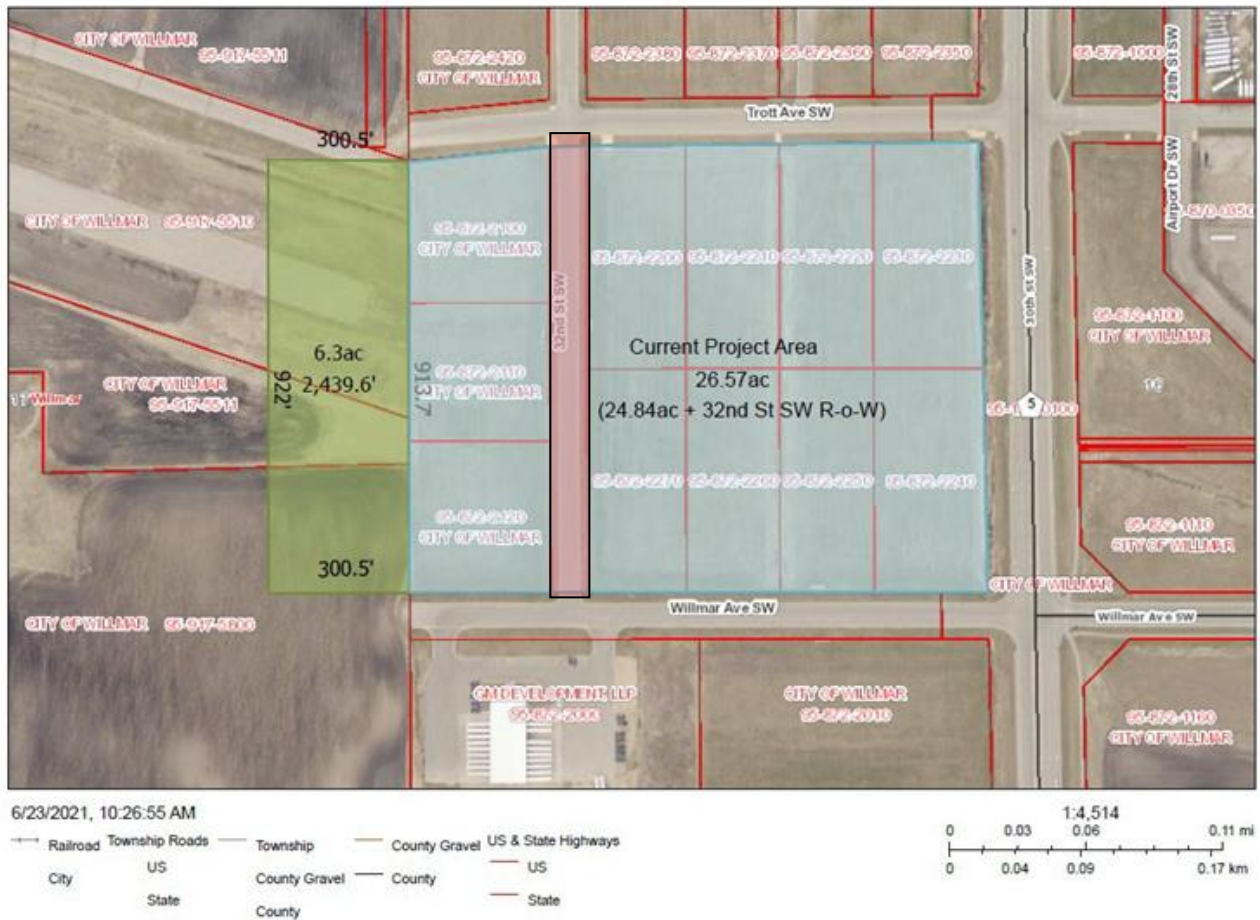
Attest:

/s/ Judy Thompson
CITY CLERK

APPENDIX

[Attach map of the area proposed to be vacated and of the area extending out therefrom in all directions a distance of six hundred (600) feet and a list of the property owners within the said total area]

GIS Map - Vacated Area Highlighted Red (Street/Utilities)



Red area is location of proposed vacated street and utilities - 32nd Street SW, between Trott Avenue SW and Willmar Avenue SW.

EXHIBIT B
AFFIDAVIT OF PUBLICATION